

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CIVIL ACTION NO. 1:10cv0142 (WOB)

CHRISTOPHER NATHAN
PARIS

PLAINTIFF

VS.

O R D E R

LAW OFFICE OF SCOTT
CARUTHERS

DEFENDANT

This matter is before the court on plaintiff's Motion for Default Judgment (Doc. 6).

The court has reviewed this matter and finds that plaintiff's motion is, on the whole, well-supported. The statutory damages, attorneys' fees, and filing and service fees are properly recoverable pursuant to 15 U.S.C. §§ 1692k(a)(2)(A) and (a)(2)(B)(3).

However, the court does not find the "anticipated collection costs" that the plaintiff seeks to be within the purview of this statute, and plaintiff has provided no authority to support such recovery. To the contrary, other federal courts have found such costs not to be recoverable in this type of action. See, e.g., *Hoover v. Western New York Capital*, No. 09-CV-955A, 2010 WL 2472500, at *4-*5 (W.D.N.Y. June 16, 2010) (citing other cases so holding).

Therefore, the court will enter a default judgment awarding plaintiff: \$1,000.00 in statutory damages; \$1,882.50 in

attorneys' fees, and \$489.00 in filing and service fees, totaling \$3,3715.50.

Therefore, having reviewed this matter, and the court being otherwise sufficiently advised,

IT IS ORDERED that plaintiff's Motion for Default Judgment (Doc. 6) be, and is hereby, **GRANTED IN PART AND DENIED IN PART**. A separate default judgment shall enter concurrently herewith.

This 30th day of July, 2010.

Signed By:

William O. Bertelsman *WOB*
United States District Judge

